

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David E. Simmen Examiner: Cindy Nguyen  
 Serial No.: 09/669,556 Group Art Unit: 2171  
 Filed: September 26, 2000 Docket: STL919990184  
 Title: QUERY OPTIMIZATION TECHNIQUE FOR OBTAINING IMPROVED CARDINALITY  
 ESTIMATES USING STATISTICS ON AUTOMATIC SUMMARY TABLES

## CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on April 14, 2003.

By: George H. Gates

Name: George H. Gates

## CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 C.F.R. §1.53(d)

Box CPA  
 Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

This is a request for a continuation application under 37 CFR § 1.53(d) (Continued Prosecution Application (CPA)) of prior patent application Serial No. 09/669,556, filed on September 26, 2000, and entitled QUERY OPTIMIZATION TECHNIQUE FOR OBTAINING IMPROVED CARDINALITY ESTIMATES USING STATISTICS ON AUTOMATIC SUMMARY TABLES.

The above-identified prior patent application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, and which has a filing date on or after June 8, 1995, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- ☒ Statement of Common Ownership.
- ☒ The fee has been calculated as shown below in the "Claims as Filed" table.

## CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
Basic Filing Fee				\$750.00
Total Claims				
27	20	7	x \$18.00	= \$126.00
Independent Claims				
3	3	0	x \$84.00	= \$0.00
MULTIPLE DEPENDENT CLAIM FEE				\$0.00
TOTAL FILING FEE				\$876.00

- ☒ A charge to the Deposit Account identified below in the amount of \$876.00 to cover the Total Filing Fee (basic filing fee/seven (7) claims in excess of twenty).

(PTO TRANSMITTAL - FILING UNDER 37 CFR 1.53(d))

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 01 FC:1801 750.00 CH  
 02 FC:1202 126.00 CH


☒ Address all future communications to the Attention of George H. Gates at Gates & Cooper LLP, Howard Hughes Center, 6701 Center Drive West, Suite 1050, Los Angeles, California 90045, Telephone: (310) 641-8797.

☒ A return postcard is enclosed.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 09-0460 of IBM Corporation, the assignee of the present application. A duplicate of this paper is enclosed.

**GATES & COOPER LLP**  
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By:   
Name: George H. Gates  
Reg. No.: 33,500  
GHG/io

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**Gates & Cooper** LLP

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045

**FAX TRANSMISSION TO USPTO****Official**

TO: Commissioner for Patents  
Attn: Examiner Cindy Nguyen  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: George H. Gates  
OUR REF.: STL919990184  
TELEPHONE: (310) 642-4146

Total pages, including cover letter: 13

PTO FAX NUMBER: 703/746-7239

If you do NOT receive all of the pages, please telephone us at (310) 641-8797, or fax us at (310) 641-8798.

Title of Document Transmitted:	Request For A Continuation Application Under 37 CFR. §1.53(d) (Continued Prosecution Application (CPA)) of prior patent application S/N 09/669,556, filed on Sept. 26, 2000 for QUERY OPTIMIZATION TECHNIQUE FOR OBTAINING IMPROVED CARDINALITY ESTIMATES USING STATISTICS ON AUTOMATIC SUMMARY TABLES; a Preliminary Amendment with a Statement of Common Ownership. Charge Deposit Account No. 09-0460 in the amount of \$876.00 to cover the Total Filing Fee.
Applicant:	David E. Simmen
Serial No.:	09/669,556
Filed:	September 26, 2000
Group Art Unit:	2171
Our Ref. No.:	STL919990184

By: GHG

Name: George H. Gates  
Reg. No.: 33,500

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Isabell Ogata  
Signature

April 14, 2003  
Date

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G&amp;C 30571.272-US-U1